



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1280

Introduced 02/08/11, by Rep. Kevin A. McCarthy

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.1	from Ch. 46, par. 2A-1.1
25 ILCS 115/4	from Ch. 63, par. 15.1
25 ILCS 130/9-2.5	

Amends the Election Code, the General Assembly Compensation Act, and the Legislative Commission Reorganization Act of 1984. Changes the general primary election from the third Tuesday in March of even-numbered years to the third Tuesday in September of even-numbered years. Makes conforming changes with respect to (i) filing of declarations of judicial retention, (ii) filing of campaign finance reports, and (iii) printing and mailing of legislators' newsletters and brochures. Effective immediately.

LRB097 07184 RLJ 47289 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section
5 2A-1.1 as follows:

6 (10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

7 Sec. 2A-1.1. All Elections - Consolidated Schedule.

8 (a) In even-numbered years, the general election shall be
9 held on the first Tuesday after the first Monday of November;
10 and an election to be known as the general primary election
11 shall be held on the third Tuesday in September ~~March~~;

12 (b) In odd-numbered years, an election to be known as the
13 consolidated election shall be held on the first Tuesday in
14 April except as provided in Section 2A-1.1a of this Act; and an
15 election to be known as the consolidated primary election shall
16 be held on the last Tuesday in February.

17 (Source: P.A. 95-6, eff. 6-20-07; 96-886, eff. 1-1-11.)

18 Section 10. The General Assembly Compensation Act is
19 amended by changing Section 4 as follows:

20 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

21 Sec. 4. Office allowance. Beginning July 1, 2001, each

1 member of the House of Representatives is authorized to approve
2 the expenditure of not more than \$61,000 per year and each
3 member of the Senate is authorized to approve the expenditure
4 of not more than \$73,000 per year to pay for "personal
5 services", "contractual services", "commodities", "printing",
6 "travel", "operation of automotive equipment",
7 "telecommunications services", as defined in the State Finance
8 Act, and the compensation of one or more legislative assistants
9 authorized pursuant to this Section, in connection with his or
10 her legislative duties and not in connection with any political
11 campaign. On July 1, 2002 and on July 1 of each year
12 thereafter, the amount authorized per year under this Section
13 for each member of the Senate and each member of the House of
14 Representatives shall be increased by a percentage increase
15 equivalent to the lesser of (i) the increase in the designated
16 cost of living index or (ii) 5%. The designated cost of living
17 index is the index known as the "Employment Cost Index, Wages
18 and Salaries, By Occupation and Industry Groups: State and
19 Local Government Workers: Public Administration" as published
20 by the Bureau of Labor Statistics of the U.S. Department of
21 Labor for the calendar year immediately preceding the year of
22 the respective July 1st increase date. The increase shall be
23 added to the then current amount, and the adjusted amount so
24 determined shall be the annual amount beginning July 1 of the
25 increase year until July 1 of the next year. No increase under
26 this provision shall be less than zero.

1 A member may purchase office equipment if the member
2 certifies to the Secretary of the Senate or the Clerk of the
3 House, as applicable, that the purchase price, whether paid in
4 lump sum or installments, amounts to less than would be charged
5 for renting or leasing the equipment over its anticipated
6 useful life. All such equipment must be purchased through the
7 Secretary of the Senate or the Clerk of the House, as
8 applicable, for proper identification and verification of
9 purchase.

10 Each member of the General Assembly is authorized to employ
11 one or more legislative assistants, who shall be solely under
12 the direction and control of that member, for the purpose of
13 assisting the member in the performance of his or her official
14 duties. A legislative assistant may be employed pursuant to
15 this Section as a full-time employee, part-time employee, or
16 contractual employee, at the discretion of the member. If
17 employed as a State employee, a legislative assistant shall
18 receive employment benefits on the same terms and conditions
19 that apply to other employees of the General Assembly. Each
20 member shall adopt and implement personnel policies for
21 legislative assistants under his or her direction and control
22 relating to work time requirements, documentation for
23 reimbursement for travel on official State business,
24 compensation, and the earning and accrual of State benefits for
25 those legislative assistants who may be eligible to receive
26 those benefits. The policies shall also require legislative

1 assistants to periodically submit time sheets documenting, in
2 quarter-hour increments, the time spent each day on official
3 State business. The policies shall require the time sheets to
4 be submitted on paper, electronically, or both and to be
5 maintained in either paper or electronic format by the
6 applicable fiscal office for a period of at least 2 years.
7 Contractual employees may satisfy the time sheets requirement
8 by complying with the terms of their contract, which shall
9 provide for a means of compliance with this requirement. A
10 member may satisfy the requirements of this paragraph by
11 adopting and implementing the personnel policies promulgated
12 by that member's legislative leader under the State Officials
13 and Employees Ethics Act with respect to that member's
14 legislative assistants.

15 As used in this Section the term "personal services" shall
16 include contributions of the State under the Federal Insurance
17 Contribution Act and under Article 14 of the Illinois Pension
18 Code. As used in this Section the term "contractual services"
19 shall not include improvements to real property unless those
20 improvements are the obligation of the lessee under the lease
21 agreement. Beginning July 1, 1989, as used in the Section, the
22 term "travel" shall be limited to travel in connection with a
23 member's legislative duties and not in connection with any
24 political campaign. Beginning on the effective date of this
25 amendatory Act of the 93rd General Assembly, as used in this
26 Section, the term "printing" includes, but is not limited to,

1 newsletters, brochures, certificates, congratulatory mailings,
2 greeting or welcome messages, anniversary or birthday cards,
3 and congratulations for prominent achievement cards. As used in
4 this Section, the term "printing" includes fees for
5 non-substantive resolutions charged by the Clerk of the House
6 of Representatives under subsection (c-5) of Section 1 of the
7 Legislative Materials Act. No newsletter or brochure that is
8 paid for, in whole or in part, with funds provided under this
9 Section may be printed or mailed during a period beginning
10 ~~August~~ February 1 of the year of a general primary election and
11 ending the day after the general primary election and during a
12 period beginning September 1 of the year of a general election
13 and ending the day after the general election, except that such
14 a newsletter or brochure may be mailed during those times if it
15 is mailed to a constituent in response to that constituent's
16 inquiry concerning the needs of that constituent or questions
17 raised by that constituent. Nothing in this Section shall be
18 construed to authorize expenditures for lodging and meals while
19 a member is in attendance at sessions of the General Assembly.

20 Any utility bill for service provided to a member's
21 district office for a period including portions of 2
22 consecutive fiscal years may be paid from funds appropriated
23 for such expenditure in either fiscal year.

24 If a vacancy occurs in the office of Senator or
25 Representative in the General Assembly, any office equipment in
26 the possession of the vacating member shall transfer to the

1 member's successor; if the successor does not want such
2 equipment, it shall be transferred to the Secretary of the
3 Senate or Clerk of the House of Representatives, as the case
4 may be, and if not wanted by other members of the General
5 Assembly then to the Department of Central Management Services
6 for treatment as surplus property under the State Property
7 Control Act. Each member, on or before June 30th of each year,
8 shall conduct an inventory of all equipment purchased pursuant
9 to this Act. Such inventory shall be filed with the Secretary
10 of the Senate or the Clerk of the House, as the case may be.
11 Whenever a vacancy occurs, the Secretary of the Senate or the
12 Clerk of the House, as the case may be, shall conduct an
13 inventory of equipment purchased.

14 In the event that a member leaves office during his or her
15 term, any unexpended or unobligated portion of the allowance
16 granted under this Section shall lapse. The vacating member's
17 successor shall be granted an allowance in an amount, rounded
18 to the nearest dollar, computed by dividing the annual
19 allowance by 365 and multiplying the quotient by the number of
20 days remaining in the fiscal year.

21 From any appropriation for the purposes of this Section for
22 a fiscal year which overlaps 2 General Assemblies, no more than
23 1/2 of the annual allowance per member may be spent or
24 encumbered by any member of either the outgoing or incoming
25 General Assembly, except that any member of the incoming
26 General Assembly who was a member of the outgoing General

1 Assembly may encumber or spend any portion of his annual
2 allowance within the fiscal year.

3 The appropriation for the annual allowances permitted by
4 this Section shall be included in an appropriation to the
5 President of the Senate and to the Speaker of the House of
6 Representatives for their respective members. The President of
7 the Senate and the Speaker of the House shall voucher for
8 payment individual members' expenditures from their annual
9 office allowances to the State Comptroller, subject to the
10 authority of the Comptroller under Section 9 of the State
11 Comptroller Act.

12 Nothing in this Section prohibits the expenditure of
13 personal funds or the funds of a political committee controlled
14 by an officeholder to defray the customary and reasonable
15 expenses of an officeholder in connection with the performance
16 of governmental and public service functions.

17 (Source: P.A. 95-6, eff. 6-20-07; 96-555, eff. 8-18-09; 96-886,
18 eff. 1-1-11.)

19 Section 15. The Legislative Commission Reorganization Act
20 of 1984 is amended by changing Section 9-2.5 as follows:

21 (25 ILCS 130/9-2.5)

22 Sec. 9-2.5. Newsletters and brochures. The Legislative
23 Printing Unit may not print for any member of the General
24 Assembly any newsletters or brochures during the period

1 beginning August ~~February~~ 1 of the year of a general primary
2 election and ending the day after the general primary election
3 and during a period beginning September 1 of the year of a
4 general election and ending the day after the general election.
5 A member of the General Assembly may not mail, during a period
6 beginning August ~~February~~ 1 of the year of a general primary
7 election and ending the day after the general primary election
8 and during a period beginning September 1 of the year of a
9 general election and ending the day after the general election,
10 any newsletters or brochures that were printed, at any time, by
11 the Legislative Printing Unit, except that such a newsletter or
12 brochure may be mailed during those times if it is mailed to a
13 constituent in response to that constituent's inquiry
14 concerning the needs of that constituent or questions raised by
15 that constituent.

16 (Source: P.A. 95-6, eff. 6-20-07; 96-886, eff. 1-1-11.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.